

Issued June 8, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 350, FOOD AND DRUGS ACT.

MISBRANDING OF WHISKEY.

On or about December 25, 1908, Charles H. Ross & Company, of Baltimore, Md., shipped from the State of Maryland to the State of Louisiana 5 barrels of whiskey. Analysis of samples of this product was made in the Bureau of Chemistry, United States Department of Agriculture, and it was shown to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report thereon that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the Attorney-General.

In due course a libel was filed in the District Court of the United States for the Eastern District of Louisiana against the said 5 barrels of whiskey, charging misbranding, in that they were labeled "Old Cabinet Whiskey," which statement was false, misleading and deceptive, in that it conveyed the impression that the product was straight whiskey, whereas in fact the product was not straight whiskey, but a rectified article combined with grain distillate. To this libel Charles H. Ross & Company entered an appearance, filed an answer, and set up claim to the product, and in due course the case came on for hearing, and the court rendered a decree of condemnation and forfeiture, and directed that the goods be released upon the filing of a bond conditioned that the said goods be not disposed of contrary to the laws of the United States.

This decree was rendered prior to the issuing of Food Inspection Decision 113, which revoked Food Inspection Decisions 45, 65, 95, and 98, relative to the labeling of whiskey.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 17, 1910.*